

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT
BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, et al.,

Debtor.¹

**PROMESA
Title III**

**No. 17 BK 3283-LTS
(Jointly Administered)**

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT
BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO ELECTRIC POWER AUTHORITY,

Debtor.

**PROMESA
Title III**

**No. 17 BK 4780-LTS
(Jointly Administered)**

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566- LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

THE FINANCIAL OVERSIGHT AND MANAGEMENT
BOARD FOR PUERTO RICO,

Plaintiff-Movant,

v.

HON. PEDRO PIERLUISI, in his official capacity as
Governor of Puerto Rico; and HON. JOSE LUIS DALMAU,
in his official capacity as President of the Senate of Puerto
Rico.

Defendants-Respondents.

Adv. Proc. No. 24-00062-LTS

DECLARATION OF GUY BRENNER

I, Guy Brenner, state and declare as follows

1. I am a Partner at the law firm Proskauer Rose LLP, and counsel to Plaintiff the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”). I make this declaration in support of the Oversight Board’s Motion for Summary Judgment in Adversary Proceeding No. 24-00062.

2. Attached hereto as Exhibit 1 is a true and correct copy of the certified English-language translation of Act 114-2007 (“Act 114”) obtained from the Puerto Rico Office of Legislature Services (“OLS”) via its online legislative procedure system (“SUTRA,” for its Spanish acronym) (<https://sutra.oslpr.org/osl/esutra/prontuario.aspx?rid=47349>).

3. Attached hereto as Exhibit 2 is a true and correct copy of a certified English-language translation of Act 57-2014 (“Act 57”) obtained from SUTRA (<https://sutra.oslpr.org/osl/esutra/prontuario.aspx?rid=22556>).

4. Attached hereto as Exhibit 3 is a true and correct copy of a certified English-language translation of Act 17-2019 (“Act 17”) obtained from SUTRA (<https://sutra.oslpr.org/osl/esutra/prontuario.aspx?rid=128536>).

5. Attached hereto as Exhibit 4 is a certified English-language translation of Act 10-2024 (“Act 10”).

6. Attached hereto as Exhibit 5 is a certified English-language translation of Attachment A (the “OMB Attachment”) to the document titled “Section 204(a) Certification, Act 10-2024, Enacted on January 10, 2024” (the “AAFAF Certification”) prepared by the Puerto Rico Fiscal Agency and Financial Advisory Authority (“AAFAF,” for its Spanish acronym).

7. Attached hereto as Exhibit 6 is a certified English-language translation of Attachment B (the “Treasury Attachment”) to the AAFAF Certification.

8. Attached hereto as Exhibit 7 is a true and correct copy of written testimony submitted by then-Puerto Rico Senator Eduardo Bhatia to the U.S. House of Representatives’ Committee on Natural Resources (the “Committee”) in connection with its hearing titled “Management Crisis at the Puerto Rico Electric Power Authority and Implications for Recovery,” dated July 25, 2018, obtained from the Committee’s website (<https://naturalresources.house.gov/calendar/eventsingle.aspx?EventID=405408>).

9. Attached hereto as Exhibit 8 is a certified English-language translation of Puerto Rico Executive Order 2019-057 (the “Executive Order”). This translation was previously obtained by the Puerto Rico Government and filed with this Court at docket entry 87-3 in Case No. 19-00393-LTS.


10. Attached hereto as Exhibit 9 is a certified English-language translation of a resolution approved by the Puerto Rico Energy Bureau (the “Energy Bureau”) on June 14, 2024.

11. Attached hereto as Exhibit 10 is a true and correct copy of Congressional Research Service Report R46010, dated November 14, 2019, which was obtained from the Congressional Research Service’s website (<https://crsreports.congress.gov/product/pdf/R/R46010>).

12. Attached hereto as Exhibit 11 is a true and correct copy of the Professional Services Agreement entered into by the Energy Bureau and KeyLogic Systems, LLC, obtained from the Puerto Rico Office of the Comptroller's website (<https://consultacontratos.ocpr.gov.pr/contract/downloaddocument?code=ccd63f8d-515f-4e68-bbf7-09c885ae351b>.)

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I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge and belief, and that this declaration was executed on September 25, 2024 in Washington, D.C.



Guy Brenner